



DEC 25

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Merry Christmas! ...and Happy New World Order, unless we fight to retain our human rights and dignity instead.

•First, I wish everyone a wonderful Christmas. It's a time of love and togetherness, deeply cherished by nearly all real Americans. Yet despite its religious significance, cultural importance, and highly profitable commercialization, it is waning.

Every year, we see a new round of petty but vindictive legal disputes over religious displays. Many if not most of these are targeted on Christmas trees and Christian nativity scenes on public property ... the little (but sometimes large) creches showing a stable lit by the Star of Bethlehem and containing the baby Jesus in a manger next to his parents, attended by livestock and Wise Men from the East. Because "public property" is usually under government control, such displays are attacked as violations of the Establishment Clause of the US Constitution.

In case anyone needs a refresher, the Establishment Clause and Free Exercise Clause are the parts of the First Amendment that forbid any theocratic establishment of religion by the government:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Together, the Establishment and Free Exercise Clauses cut both ways, prohibiting not only control of the government by religion, but control of religion by the government. (While these clauses obviously constrain the federal government, their applicability to state and territorial governments remains somewhat controversial.)

Historically, the Establishment Clause was not without precedents, including some from England. These included the 12th century Constitutions of Clarendon, through which Henry II sought to curb the influence of the Roman Catholic Church over English law, and the English Bill of Rights 1688/1689, proscribing establishments of Church law by the English government. These were followed in North America by the colonial constitutions of Pennsylvania and New Jersey and the Virginia Statute for Religious Freedom, drafted in 1777 by Thomas Jefferson to disestablish the Church of England in Virginia and guaranty religious freedom.

An initial draft of the Establishment Clause was produced by John Dickinson along with the Articles of Confederation and Perpetual Union, an agreement among the original 13 colonies-turned-states to establish and preserve their respective sovereignty and independence under what was supposed to be a weak central government. A second draft, produced by James Madison in 1789, was debated in the First Congress and eventually incorporated in the First Amendment of the Bill of Rights.

As one might surmise from their cohabitation in one and the same sentence, the Establishment and Free Exercise Clauses are supposed to work together. Thus, while Congress is disallowed from preferring one religion over another, it can still make allowances and accommodations for the observances and practices of any given religion in keeping with the Free Exercise Clause..